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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/696,371

10/28/2003

Paramjit Kahlon

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CAMPBELL STEPHENSON LLP  
11401 CENTURY OAKS TERRACE  
BLDG. H, SUITE 250  
AUSTIN, TX 78758

EXAMINER

DANNEMAN, PAUL

ART UNIT

PAPER NUMBER

3627

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/696,371	<b>Applicant(s)</b> KAHLON ET AL.	
	<b>Examiner</b> PAUL DANNEMAN	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 18 March 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/27/2009</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### Response to Amendment

1. This action is in response to the reply filed on 18 March 2009, to the office action of 18 December 2008.
2. Claims 1-33 have been amended.
3. Claims 1-33 are pending and have been examined in this action.

### Response to Arguments

4. The objection to the amendment filed on 29 October 2008 under 35 U.S.C. 132(a) is respectively withdrawn as Applicant has amended the claims.
5. The rejection of Claims 1, 9 and 29 under 35 U.S.C. 112, first paragraph for failure to comply with the written description requirement is respectively withdrawn as Applicant has amended the claims.
6. The rejection of Claims 1-8 under 35 U.S.C. 112, second paragraph for failure to distinctly claim the subject matter of the invention is respectively withdrawn as Applicant has amended the claims.
7. The rejection of Claims 9 and 29 under 35 U.S.C. 112, second paragraph for failure to distinctly claim the subject matter of the invention is respectively withdrawn as Applicant has amended the claims.
8. Applicant argues regarding the rejection of Claims 1-8 under 35 U.S.C. § 101 that ***"Applicants submit that the claimed transformation of data from a source format into an intermediate format is analogous to the favorably-notes transformation of data in Abele."*** Respectfully the Examiner must disagree as the Federal Circuit *In re Bilski* cited ***"Abele in a dependent claim specified that "said data is X-ray attenuation data produced in a two dimensional field by a computed tomography scanner." Abele, 684 F.2d at 908-09. In re Bilski the Federal Circuit cited that "This data clearly represented physical and tangible objects, namely the structure of bones, organs, and other body tissues. Thus, the transformation of that raw data into a particular visual depiction of a physical object on a display was sufficient to render that more narrowly-claimed process patent-eligible."***

Art Unit: 3627

The Examiner considers the arguments moot as Applicant has amended Claims 1-8 to recite a process which is tied to a particular machine, therefore Claims 1-8 are now a statutory process. The rejection to Claims 1-8 under 35 U.S.C. § 101 is respectfully withdrawn.

9. Applicant argues regarding the 35 U.S.C. 103(a) rejection of independent claims 1, 9 and 29 as amended ***“that cited sections of Buchanan fail to teach or contemplate, at least, (1) extracting inventory transaction information in a source format; (2) converting the inventory transaction information in the source format into inventory transaction information that is in an intermediate format; and (3) converting the inventory transaction information in the intermediate format into inventory transaction information in a target format.”*** The Examiner respectfully disagrees. Buchanan in at least Column 3, lines 29-52 discloses that the invention provides novel data structures and processes for use in extracting information from a server database during the synchronization of the server database and a client database. Buchanan further discloses that the novel distribution tables, which are distinct from the server database application schema, are used by novel processes to locate information in the server database that may require extraction during the synchronization of the databases. Buchanan in at least Column 4, lines 18-38 further discloses that the different client databases are synchronized with the server database through separate bi-directional synchronization. Buchanan in at least Column 4, lines 53-67 discloses the use of a distribution table and distribution point tables which are created for a given server table if modification of such server table may modify the set of information that is required to be extracted from the server database for distribution to some given client database in the course of synchronization of the server and client database. Buchanan in at least Column 5, lines 9-30 further discloses that a distribution table is separate from the server database in that it is not one of the server database application tables; it is a system table that is created solely to support synchronizations and is only used during synchronizations. Therefore independent **Claims 1, 9 and 29** and their dependent claims are properly rejected and remain rejected.

***Specification***

10. The amendment filed 18 March 2009 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows: **Claims 1, 9 and 29** have been amended to disclose an inventory management system executing on a first and second computer, however the Specification in paragraphs [0013 through 0015] only supports a single inventory management system with different applications running on the “front” and “back” offices which access inventory information.

Applicant is required to cancel the new matter in the reply to this Office Action.

***Claim Rejections - 35 USC § 112***

11. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

12. **Claims 1, 9 and 29** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. **Claims 1, 9 and 29** have been amended to disclose an inventory management system executing on a first and second computer, however the Specification in paragraphs [0013 through 0015] only supports a single inventory management system with different applications running on the “front” and “back” offices which access inventory information.

***Claim Rejections - 35 USC § 103***

13. **Claims 1-33** are rejected under 35 U.S.C. 103(a) as being unpatentable over Buchanan, US 5,758,355.

**Claims 1, 9 and 29:**

With regard to the limitations:

- ***Bidirectional synchronization of a source and target computerized inventory transaction information of a computerized inventory management system executing on a first computer and a target computerized inventory management system executing on a second computer, and synchronizing comprises***
- ***Extracting inventory information in a source format from the source computerized inventory management system;***
- ***Converting inventory information from the source format into an intermediate format; and***
- ***Converting inventory information from the intermediate format into the Target format.***

Buchanan in at least Fig.1, Fig.2, Column 3, lines 29-52, Column 4, lines 18-38 discloses the bi-directional synchronization of a server and client database. Buchanan in at least Column 3, lines 29-52 discloses that the invention provides novel data structures and processes for use in extracting information from a server database during the synchronization of the server database and a client database. Buchanan further discloses that the novel distribution tables, which are distinct from the server database application schema, are used by novel processes to locate information in the server database that may require extraction during the synchronization of the databases. Buchanan in at least Column 4, lines 18-38 further discloses that the different client databases are synchronized with the server database through separate bi-directional synchronization. Buchanan in at least Column 4, lines 53-67 discloses the use of a distribution table and distribution point tables which is created for a given server table if modification of such

server table may modify the set of information that is required to be extracted from the server database for distribution to some given client database in the course of synchronization of the server and client database. Buchanan in at least Column 5, lines 9-30 further discloses that a distribution table is separate from the server database in that it is not one of the server database application tables; it is a system table that is created solely to support synchronizations and is only used during synchronizations.

Buchanan does not specifically disclose an inventory information system per se. However, in at least Column 4, lines 12-15 discloses that the present invention is not intended to be limited to the embodiment shown. Buchanan in at least Column 2, lines 28-44 discloses a use of databases for such categories as company records and in Column 2, lines 45-60 and Column 7, lines 37-67 further discloses the use of databases for sales team records. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify Buchanan's databases synchronization to include financial and inventory databases with the motivation to insure that all databases used by a company are properly synchronized.

**Claims 2-8, 10-28 and 30-33:**

With regard to the limitations:

- ***Extracting inventory information in a source format from the source computerized inventory management system;***
- ***Converting inventory information from the source format into an intermediate format; and***
- ***Converting inventory information from the intermediate format into the Target format.***
- ***The inventory information is a collection of inventory records with various fields.***

Buchanan in at least Column 7, lines 1-32 discloses that the focal point of the present invention is the scanning of the server database to extract server database records to be transferred to the synchronizing client database where the database scans are done on a table by table basis in

referential integrity order and applied in the same order on the other computer database. Buchanan does not specifically disclose an inventory information system per se. However, in at least Column 4, lines 12-15 discloses that the present invention is not intended to be limited to the embodiment shown. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify Buchanan's databases synchronization to include financial and inventory databases with a plurality of inventory transaction elements with the motivation to insure that all parties have current information regarding the financial and inventory status.

### **Conclusion**

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3627

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

15 June 2009

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627